



DISTRICT OF COLUMBIA

U.S. Department of Education
Office of Special Education Programs

Special Conditions Reports
(Reporting Period May 12, 2007 – December 31, 2007)
February 1, 2008

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Introductory Statement

The Office of the State Superintendent of Education (OSSE) strives to report to OSEP and others the most accurate and reliable information and data possible. Since its last filed report submitted to OSEP in May 2007, OSSE has initiated the process to transition to a new state data collection system that will include the data required for most of the OSEP reports. In addition, a search is in place for a special education collection system. Activity has already begun on implementing a Statewide Longitudinal Education DataWarehouse (SLED) to become the main repository of current and historical education data relating to students and teachers in publicly funded schools in the District of Columbia.

The data submitted in this report encompassing initial evaluations, reevaluations, LRE and implementation of due process hearing determinations has been generated through Encore and spreadsheets designed to collect the needed data.

A. Initial Evaluations and Reevaluations

(a) Initial Evaluations – Bi - Annual Numbers (05/12/07 – 12/31/07)

▶ (a) The children who, as of the end of the previous reporting period (May 11, 2007), had been referred for, but not provided, a timely initial evaluation and placement: **103**

▶ (b) The number of children referred for initial evaluation and placement whose initial evaluation and placement became overdue during the reporting period: **502**

▶ (c) The number of children, from (a) and (b) above, who were provided initial evaluations and placements during the reporting period: **319**

Old Late = **75**
New Late = **244**

▶ (d) The number of children who had not been provided a timely initial evaluation and placement at the conclusion of the reporting period: **286**

Old Late = **28**
New Late = **258**

▶ (e) The percentage of timely initial evaluations and placements provided to children with disabilities whose initial evaluation deadlines fell within the reporting period: **42.7%**

New Due = **876**
Timely = **374**

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Initial Evaluations and Reevaluations (cont.)

A. (b) Triennial Evaluations – Bi-Annual Numbers (05/12/07 – 12/31/07)

▶ (a) The children who, as of the end of the previous reporting period May 11, 2007 , had not been provided a timely triennial reevaluation: **1415**

▶ (b) The number of children whose triennial reevaluation became overdue during the reporting period: **1542**

▶ (c) The number of children, from (a) and (b) above, who had been provided triennial reevaluations during the reporting period: **593**

Old Late = **241**

New Late = **352**

▶ (d) The number of children who had not been provided a timely triennial reevaluation at the conclusion of the reporting period: **2364**

Old Late = **1174**

New Late = **1190**

▶ (e) The percentage of timely triennial reevaluations provided to children with disabilities whose reevaluation deadlines fell during the reporting period: **37.2%**

New Due = **2459**

Timely = **917**

This section needs to be updated.

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B. Implementation of Due Process Hearing Decisions

I. Implementation of Due Process Hearing Decisions Quarterly Numbers (04/01/06 – 05/31/06)

- ▶ (a) The number of children whose hearing officer determinations (HODs), as of the expiration of the last reporting period (December 30, 2005), had not been implemented within the time-frame established by the hearing officer or DCPS: **1395 cases**
- ▶ (b) The number of children whose hearing officer determinations had not been implemented within a time-frame established by a hearing officer or DCPS (became overdue) during the reporting period: **489 cases**
- ▶ (c) The number of children from (a) and (b) above whose hearing officer determinations were implemented during the reporting period: **596 cases**
- ▶ (d) The number of children whose hearing officer determinations had not been implemented in a timely manner at the conclusion of the reporting period: **1288 cases**
- ▶ (e) The percentage of hearing officer determinations that had been implemented in a timely manner during the reporting period: **22%**

¹Pursuant to DCPS policy developed in response to OSEP's directive to impose timelines for certain HODs where none were ordered (i.e. cases involving independent educational evaluations)(see DCPS letter to OSEP dated April 5, 2004), such "untimed" cases are, for the most part, included in the numbers set forth above.

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C. Ensure Placement in the Least Restrictive Environment (LRE)

The District of Columbia State Office of Special Education has developed and prepared guidelines as representative of the 'MDT Guidelines' and "Placement Guidelines" submitted in its June 1, 2007, FFY 2006 Special Conditions Progress Report. The District took steps to ensure that all Local Education Agencies (LEAs) were provided a copy of the MDT guidelines in order to ensure that teachers and building administrators in all public agencies were advised of their responsibilities in regards to their implementation of complying with the LRE provision of IDEIA. The State provided technical assistance and training on the MDT Guidelines for LEA staffs in May 2007, July 2007, August 2007, and September 2007.

The MDT Guidelines document is used to help support the State's efforts to ensure compliance with IDEIA by giving the LEAs a consistent way to make LRE decisions that comports with the federal regulations. By using this guideline the LEAs will be able to conduct meetings that cover all of the necessary information for making decisions regarding LRE and Placement. The State has developed the attached document entitled "MDT Checklist" for LEAs to provide to the State Office regarding their compliance with the MDT Guidelines. This document was created in order to provide information regarding the compliance results of the usage of the MDT guidelines. The results will be reported in the 2007 reporting period.

Since February of 2007, the District's Office of Monitoring and Program Certification prepared twenty-five (25) monitoring reports for 25 LEAs. These reports included the State's Findings regarding compliance with LRE. Out of the 25 LEAs monitored all but three (3) were cited for non-compliance and letter of findings were issued. To date, all LEAs have submitted their corrective action plans. Please see the attached chart that highlights the LEAs that were monitored and the status of their corrective action plans and the due dates.

D. Identify and Correct Noncompliance

The State has identified and explained by way of Indicator 15 a description of the components included in the State's system of general supervision. The State has prepared a chart that identifies all of the findings of noncompliance during the time period between December 2005 and February 1, 2007. The chart identifies LEAs with noncompliance and corrective action plans. The State has taken action with LEAs in noncompliance by providing schools with a letter and

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D. Identify and Correct Noncompliance – Cont'd.

follow-up site visits. As a result of some of this activity the State has secured documents and data to show compliance with corrective action plans. The State has attached all of the documentation for this period along with the chart of this information to this submission. Additionally, the State is submitting monitoring reports completed since February of 2007 and corrective action plans along with the charted information.

The State has also developed a graduated Sanctions response to non-compliance to monitoring reports and corrective actions. The Monitoring Unit has started to use the steps under this sanctions process to ensure compliance from the LEAs, with the law. Please find a copy of the list of sanctions attached.

Note: Next report due June 1, 2008 for January 1, 2008 to May 11, 2008

SPECIAL CONDITION REPORT ATTACHMENTS

Enforcement Process

Sample Letters:

 Reminder Letters (2)

 Status letter

05-06 Chart of Monitoring Status

06-07 Chart of Monitoring Status

Notebook of Monitoring Reports